



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : George Phillip Vlasuk et al. Art Unit : 1653
Serial No. : 09/498,272 Examiner : R. Wax
Filed : February 4, 2000
Title : NEMATODE-EXTRACTED SERINE PROTEASE INHIBITORS AND
ANTICOAGULANT PROTEINS

Mail Stop Missing Parts

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE AND/OR AMINO ACID SEQUENCES

In the communication dated June 28, 2004 (copy enclosed), , applicants were asked to amend the Sequence Listing to include Formula II, which is recited in the specification and in claim 1. It is applicants' position that Formula II is a formula and not a specific amino acid sequence of the type that falls under the requirements of 37 C.F.R. §1.821-1.825. That Formula II is a formula and not a specific amino acid sequence of the type that falls under the requirements of 37 C.F.R. §1.821-1.825 is evident from the specification and claims. For example, on page 24 of the specification it is explained that each of A2, A4, A6 and A7 is "an amino acid sequence." Thus, none of A2, A4, A6 and A7 can be represented by an amino acid in accordance with WIPO Standard ST.25 (1998).

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

November 15, 2004

Date of Deposit

Carrie A. Amonte

Signature

Carrie A. Amonte

Typed or Printed Name of Person Signing Certificate

Applicant : George Phillip Vlasuk et al.
Serial No. : 09/498,272
Filed : February 4, 2000
Page : 2 of 2

Attorney's Docket No.: 17456-007009

In view of the forgoing, Applicant respectfully request that the Examiner withdraw the requirement that Formula II be placed in the Sequence Listing and withdraw the Notice to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequences dated June 28, 2004.

A Petition for Extension of Time with the Appropriate fee is enclosed. If any credit of this fee is applicable, please apply to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 15 November 2004


Anita L. Meiklejohn, Ph.D.
Reg. No. 35,283

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

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Page 1 of 2

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/498,272	02/04/2000	George Phillip Vlasuk	250/192

PILLSBURY WINTHROP LLP
INTELLECTUAL PROPERTY GROUP
11682 EL CAMINO REAL
SUITE 200
SAN DIEGO, CA 92130

CONFIRMATION NO. 8586

FORMALITIES LETTER



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Date Mailed: 06/28/2004

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Filing Date Granted

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR §§ 1.821-1.825. The application must be in sequence compliance before examination on the merits.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR § 1.821(g). Extension of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR § 1.136. In no case may an applicant extend the period for response beyond the six-month statutory period. Direct the response to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

See the attachment.

Applicant Must Provide as part of the response:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*



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